UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/393,718	09/10/1999	FARZAD NAZEM	17887-3-1US	3195

7590 10/05/2004	EXAMINER
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ART UNIT	PAPER NUMBER
2161	

DATE MAILED: 10/05/2004

37

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	**Applicant(s)**
Office Action Summary	09/393,718	NAZEM ET AL.
	Examiner	**Art Unit**
	Cindy Nguyen	2171

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 July 2004* .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *10--28* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *10-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 September 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *7* .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

This is in response to communication filed 07/22/04. Applicants arguments have been

considered and found persuasive.

1.   Response to Arguments

In view of the Appeal Brief filed on 07/22/04, PROSECUTION IS HEREBY

REOPENED. The Options set forth below.

To avoid abandonment of the application, appellant must exercise one of the following

two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37

CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a

supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or

other evidence are permitted. See 37 CFR 1.193(b)(2).

2.   Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
patent by another filed in the United States before the invention by the applicant for patent, except that an
international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
subsection of an application filed in the United States only if the international application designated the United
States and was published under Article 21(2) of such treaty in the English language.

Claims 10-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Gerace (U.S

5848396).

Regarding claim 10, Gerace discloses: In the page server coupled to a network, a method

of providing a customized page to a user, wherein the customized page is customized according

to the user's preferences, the method comprising the steps of:

obtaining real-time information from information sources[1] (fig. 4A, Gerace);

storing the real-time information in a storage device (71, fig. 2 store the various agate

information for user viewing, Gerace);

storing a user specific template program for the user[2] (home page 43, fig. 4A, Gerace) in

a data structure indexed (col. 11, lines 45-56, Gerace) by a user identifier unique to the user[3]

(col. 13, lines 62 to col. 13, lines 27, Gerace);

receiving, from the user and at the page server a user request for a customized page (col.

14, lines 4-10, Gerace), and

determining a user identifier associated with the request (col. 14, lines 8-23, Gerace);

retrieving a stored template program specific to the user in the data structure using the

determined user identifier associated with the request[4] (col. 11, lines 25-43, Gerace);

providing the user with the customized page includes at least one item of real time

information selected from the storage device (43, fig. 4a, Gerace).

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[1] Real-time information from the sports, the weather, the travel schedule...

[2] home page is a user specific template program for the user using user name and password to login to the home
page.

[3] the home page 43 requests a user name and password for the user to login the homepage and program 31 enables
user customization of home page 43, upon a user logging to program 31, data appears in order of most frequently
selected categories of the users

executing the template program specific to the user using the real-time information stored

in the storage device as input to the template program to generate the customized page (col. 14,

liens 50-59, Gerace), wherein the template program indicates items of interest to the user (col.

17, lines 1-9, Gerace).

As per claim 11, the limitations of this claim have been noted in the rejection of claim 10.

Applicant's attention is directed to the rejection of claim 10 above. In addition, Gerace discloses

further including prior to the step of receiving the user request the steps of caching the template

program in a storage location local to the page server (col. 4, lines 60-65, Gerace).

Regarding claim 12, the limitations of this claim have been noted in the rejection of

claim 10. Applicant's attention is directed to the rejection of claim 10 above. In addition, Gerace

discloses: further comprising the step of receiving user preferences for the user (col. 16, lines 53-

55, Gerace), wherein the user preferences indicate the items of interest to the user and combining

the user preferences with a generic template to form the template program specific to the user

(see col. 17, lines 1-17, Gerace).

Regarding claim 13, the limitations of this claim have been noted in the rejection of claim

12. Applicant's attention is directed to the rejection of claim 12 above. In addition, Gerace

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[4] the user is able to request structured data, preformatted data packages and /or value-added analyses from program
31, upon the user logging.

discloses: further including the step of providing the template program specific to the user to the

page server[5] (col. 13, lines 62 to col. 14, lines 3, Gerace).

Regarding claim 14, the limitations of this claim have been noted in the rejection of claim

12. Applicant's attention is directed to the rejection of claim 12 above. In addition, Gerace

discloses: wherein the page server performs the step of combining the user preferences with the

generic template (col. 16, lines 20-29, Gerace).

Regarding claim 19, all the limitations of this claim have been noted in the rejection of

claim 1. In addition, Gerace discloses: obtaining user preferences for the plurality of users,

wherein a user's user preferences indicate items of interest to that user (16, lines 20-29 and lines

54-55, Gerace); each of the plurality of users, combining the user preferences for a specific user

and a template to form a template program specific to the user at the page server (col. 17, lines 1-

17, Gerace).

Regarding claim 20, all the limitations of this claim have been noted in the rejection of

claim 1 above. In addition, Gerace discloses: a second template program specific to the second

user[6] (col. 13, lines 62 to col. 14, lines 27) using the real time information stored in the storage

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[5] Program 31 create a new user object, the home page requests a user name and password to login in the initial
homepage.
[6] the home page 43 requests a new user name and password for the new user to login the homepage and program 31
enables user customization of home page 43, upon a user logging to program 31, data appears in order of most
frequently selected categories of the users

device as input to the second template program to generate a second customized page for a

second user[7] (col. 11, lines 45-56, Gerace).

Regarding claims 15 and 25, Gerace disclose all the limitations of these claims have been

noted in the rejection of claims 10 and 20 above, respectively. In addition Gerace discloses:

wherein the real-time information comprises stock quotes, sports scores and news headlines (see

col. 6, lines 22-40, Gerace).

Regarding claims 16 and 26, all the limitations of these claims have been noted in the

rejection of claims 10 and 20 above, respectively, In addition, Gerace discloses: further

comprising a step of generating a default user configuration for the user based on demographic

information of the user (see col. 6, lines 5-7, Gerace).

Regarding claims 17 and 27, all the limitations of these claims have been noted in the

rejection of claims 16 and 26 above, respectively, In addition, Gerace discloses: wherein the step

of generating a default user configuration comprises the steps of: determining a default list of

cities for a weather report based on user demographic information (see col. 8, lines 52-57,

Gerace); and determining one or more sports teams for sports reporting based on user

demographic information (see col. 8, lines 15-25, Gerace).

Regarding claims 18 and 28, all the limitations of these claims have been noted in the

rejection of claims 16 and 26 above, respectively, In addition, Gerace discloses: wherein the

steps of determining comprise the steps of: obtaining user postal code information (see col. 21,

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[7] the new user is able to request structured data, preformatted (customized) data packages and /or value-added
analyses from program 31, upon the new user logging.

lines 41-43, Gerace); translating the postal code information to user geographic position (see col. 21, lines 41-49, Gerace); comparing the user geographic position to geographic positions assigned to each city (see col. 22, lines 10-12, Gerace); and sports team (see col. 21, lines 65 to col. 22, lines 5, Gerace); and determining a threshold distance from the user geographic position which is greater than or equal to a distance to a predetermined nonzero number of cities and a predetermined nonzero number of sports team geographic positions "(see col. 31, lines 2-7, Gerace).

Regarding claims 21-24, most the limitations of these claims have been noted in the rejection of claims 2, 13-18, and 20 above respectively. It is therefore rejected as set forth above.

3.   *Contact Information*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should

be directed to the receptionist whose telephone number is 703-305-3900.

Cindy Nguyen

September 29, 2004

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